

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IES UTILITIES INC.	DOCKET NO. WRU-98-39-151
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**ORDER DOCKETING WAIVER REQUEST AND
ESTABLISHING PROCEDURAL SCHEDULE**

(Issued October 17, 2000)

On December 30, 1999, the Utilities Board (Board) granted IES Utilities Inc. (IES) a one-year extension of a waiver of two of the flexible rate rules, 199 IAC 20.14(3)"b" and "c." The flexible rate rules at issue provide that the ceiling for all discounted rates shall be the approved rate on file for the customer's rate class and that the floor for the discount rate shall be equal to the energy costs and customer costs of serving a specific customer. The waiver applies to a contract IES has with one of its customers, Keokuk Ferro-Sil, Inc. (Ferro-Sil). The contract is unique because it bases the price of electricity on a portion of Ferro-Sil's operating costs, not on IES' cost of service to provide electricity. The price paid by Ferro-Sil for electricity will vary depending on its operating costs and could be above or below both the price ceiling and price floor of the flexible rate rules.

In its December order, the Board noted that a type of contract pricing available to only one customer must be continually re-examined to insure continuation of the waiver is appropriate. The Board said if IES and Ferro-Sil wanted to extend the

waiver past December 31, 2000, IES should file its request and justification in sufficient time to allow a hearing on the request. On October 6, 2000, IES filed a request for a two-year extension of the waiver. The filing was accompanied by supporting testimony and exhibits of two witnesses. The Board will docket the filing and establish a procedural schedule.

IT IS THEREFORE ORDERED:

1. The request for waiver extension filed by IES Utilities Inc. on October 6, 2000, is docketed as a formal proceeding, identified as Docket No. WRU-98-39-151.
2. The following procedural schedule is established:
 - a. The Consumer Advocate Division of the Department of Justice and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before November 6, 2000. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.
 - b. The deadline for filing a petition to intervene shall be November 6, 2000.
 - c. IES shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before November 20, 2000.
 - d. The parties shall file a joint statement of the issues on or before November 22, 2000.
 - e. All parties which choose to file a prehearing brief may do so on or before November 22, 2000.

f. A hearing shall be held beginning at 10 a.m. on December 12, 2000, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Utilities Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

g. The parties may file simultaneous initial briefs on or before December 19, 2000.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination which have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this

paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 17th day of October, 2000.